

**CHAPTER NO. 875**

**SENATE BILL NO. 2256**

**By Springer, Williams**

Substituted for: House Bill No. 2330

By Fowlkes

AN ACT To amend Tennessee Code Annotated, Section 49-6-2008, relative to persons improperly on school premises and offenses committed against educational personnel.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-2008, is amended by deleting the section in its entirety and substituting instead the following:

(a) In order to maintain the conditions and atmosphere suitable for learning, no person shall enter onto school busses, or during school hours, enter upon the grounds or into the buildings of any school, except students assigned to that bus or school, the staff of the school, parents of students, and other persons with lawful and valid business on the bus or school premises.

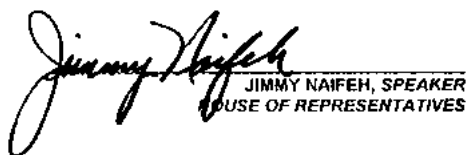
(b) Any person improperly on the premises of a school shall depart on the request of the school principal or other authorized person.

(c) A violation of subsection (a) is a Class A misdemeanor.

(d) In addition to any criminal penalty provided by law, there is created a civil cause of action for an intentional assault upon educational personnel by any person during school hours or during school functions, if the parties are on school grounds or in vehicles owned, leased, or under contract by the local education agency and used for transporting students or faculty. A person who commits such assault shall be liable to the victim for all damages resulting therefrom, including compensatory and punitive damages. Upon prevailing, a victim shall be entitled to three (3) times the amount of the actual damages and shall be entitled to reasonable attorney fees and costs.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**PASSED: April 22, 1998**

APPROVED this 6th day of May 1998

  
DON S. QUIST, GOVERNOR